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BEFORE THE
COMMENCEMENT EXERCISES
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For the last six weeks I have had the opportunity to direct one of the most famous agencies in the world. It is not an opportunity I sought but like all of one's experiences in life, it adds a new dimension. It broadens one's knowledge, deepens one's understanding, shapes one's perspective.

So as I am honored today to share this occasion with you, I welcome also the chance to share for the first time some thoughts from this newest and unexpected vantage point in my association with government.

The FBI is not perfect. No institution created by man is. It has enormous power and thus can be a force for evil as well as good. If this power is to be used properly in a free society, the men and women who exercise it must have judgment, integrity and scope. The FBI does not exist aside from the people in it. More particularly it owes much of its force, effectiveness and tone to its Director.

The Director must be able to conceptualize how the FBI fits into our societal fabric at any given historical moment. He must recognize the permissible limits of investigative techniques--what is permissible in wartime or time of extreme emergency is impermissible when the threat to our country's security is minimal--

and he must communicate forcefully those limits to FBI Agents. Needless to say, this takes an individual of considerable capacity.

Further, the necessity to America of our major Federal law enforcement agency's not exceeding a wise exercise of its power is too important to leave to the judgment of one man. There must be effective oversight of all FBI activities. This essential review and check should come from both the executive and legislative branches of our government. In my opinion neither the legislative nor the executive oversight or check is sufficient today and needs to be strengthened.

Despite the unease which some may feel, I have not found the FBI to be an organization of free-lance busybodies snooping at random and amassing dossiers on individual private excesses or the sins of our most celebrated citizens. Such a comic opera characterization is not only misleading, but dangerous in its presumption of sinister motivation on the part of some of the most able, best trained and dedicated men and women who have ever served this Republic. The FBI has a narrowly defined function to perform: to gather evidence about specific public crimes and to gather information about potential threats to our national security. It is not the Bureau's function to uncover specifics about any private acts.

The FBI does not prosecute, pass judgment, or execute sentence. It only gathers information, and with the exception of an extreme

emergency, it must do so in strict accordance with the rules of evidence as they evolve in the law. The evidence it gathers is not for its own use nor for any private use. It is for use by those charged with the administration of justice across this land.

I stress this role of the FBI as an evidence-gatherer, and underscore the fact that it is for others to weigh that evidence, because that understanding is crucial to some observations I want to make this morning.

In my present capacity it is not for me to judge the guilt or innocence of anyone but simply to vigorously and fairly pursue the facts and leave judgment to others.

This is an uncertain and unhappy time in our country. Obviously, that is an understatement, but since overstatement abounds today, I prefer to make my observations quiet ones.

No enlightened citizen and no responsible official--whether elected or appointed--can be but dismayed and disheartened by recent revelations about unprincipled behavior among some entrusted with high office and among others participating in the process by which we elect our President.

As dismay has broadened and deepened about the variety of related and unrelated incidents which have been lumped together under the code word "Watergate," several distinct reactions--judgments,

if you will--have been offered for public acceptance. Those I mention here are not intended to be exhaustive but their prevalence is disquieting.

They range from the partisan observation which views the situation as stemming somehow from the particular character of the Republican Party. Reaching back nearly a half-century to revive the spectre of Teapot Dome, the claim is that the Republican Party makes scandal, much in the vein of the questionable logic which formerly contended that the Democratic Party makes war.

A sadder judgment is that of so many who dismiss our current difficulties with the supposition, "Well, that's politics." The inference is obvious that all politics is dirty, and it obscures the fact that despite the inequities and inadequacies of the electoral process, men and women of character, ability, and high purpose have emerged in the past to lead us, and such people are evident now.

The saddest judgment offered, of course, is the most negative one: that the system is bankrupt. Indiscriminately lumping together an unpopular war, disillusionment with our failure to fulfill the social promises of the sixties, and the "Watergate," this argument holds that government is essentially self-serving and corrupt, unworthy of public trust, unresponsive to human needs.

I do not believe that truth lies in any of these points of view, nor in any combination of them. Truth seldom can be framed in generalizations. But I do believe one of our most serious and pressing problems in recent years has been a constant erosion of trust in government. In fact there has been a growing apprehension about the credibility of all our institutions from business to educational institutions, even our churches. In recent years this lack of trust has become almost rampant. To our country's great misfortune, the "Watergate" has accelerated that process.

This is particularly hazardous in a free society where the effectiveness of our institutions depends so utterly on a bedrock of public trust. In that sense in America all power is in the people, and we erode their trust at our peril.

There are some things we can do about this. There are some questions we should ponder and some reflections we should implement.

One problem which "Watergate" elucidates is the paucity of time and thought we give to the question of public morality in this country. We learn personal morality during our most formative years in our families, our schools, and our religious training. The distinction between right and wrong is approached by each of these institutions and is, as a rule, fairly clear to most of us. If it is not clear what is right or wrong, it is not for lack of exposure to precepts to guide our personal lives.

For a man or woman in public life, however, standards of right or wrong are often far less evident. One knows in gross outline it is wrong to take a bribe or violate a clear law, but beyond the gross outlines there are few hard and fast rules of official behavior. So when a citizen accepts a high position in government, any number of situations fraught with pitfalls arise which one inexperienced in the corridors of power is expected to navigate. It is wrong to take a bribe, but what about having lunch with a lobbyist or attending a trade association reception? Perhaps an old college classmate invites you with the savvy assurance it's a "no-business," purely social function. Do you accept, decline, act outraged at the invitation? There is not always a clear answer. But there are a myriad of small decisions like that which in sum determine the character of a man's public career.

For in our system of government, it is not enough for a man to make the right decisions with the power invested in his position. Those decisions, as well, must appear to be independent, thoughtful and in the public interest. Discretion as well as probity is essential both in the pursuit of public office and the administration of public responsibilities.

The FBI is exemplary among government institutions in imposing strict standards of conduct on its officials. It has always

been mindful of the need for its agents to be above suspicion and has maintained stringent regulations prescribing proper public conduct for its employees. As an investigative agency, of course, it must jealously guard its integrity.

Some areas of government have begun to impose a kind of discipline on themselves with financial disclosure requirements and campaign spending legislation. Welcome as such efforts are, they can only be part of the gross outline of public morality I mentioned earlier. For you can guard against financial misdoing, but you cannot legislate fair-mindedness or soundness of judgment. You cannot write laws that will insure a man acts only in the public interest, yet the public has every right to demand he do so.

This is something all who discharge the responsibilities of government must understand. They must impose upon themselves a rigid discipline of mind as well as person. They must constantly question the motivation for what they do, as well as evaluate the consequences of what they do in terms of both appearances and reality. To do that always is demanding to be sure, but one must always keep in mind that public office is not an opportunity, it is a privilege

To lose sight of that fact is to forget the fragility of our system of government. One of the first principles of our political

philosophy is that government exists only with the consent of the governed. But consent is not enough to make government function. A begrudging tolerance of government will not make it effective. To function properly our system requires faith. Not faith that it is a perfect system of government, for none created by man can be, but faith that it is served by honest men honestly attempting to divine and serve the public interest.

It is precisely this faith which is so badly violated right now. That is the tragedy of "Watergate". If the stain of "Watergate" spreads indiscriminately across that essential faith, we will have experienced far more damage than those who attempted illegal entry into Democratic National Headquarters, or those who may have abetted them before or since.

In all ages willful men have attempted to subvert the law. They have not always, however, been able to escape the law. In this instance, the men involved most assuredly will suffer a severe penalty either in the courts of law or in the crucible of public opinion. But we must remember that while willful men can subvert the law, only we can destroy the system on which the law rests. If we deny government the faith on which it depends, we cripple not only its ability to function, but even its ability to bring to justice those who may have abused the public trust.

Now, in current jargon, that is all pretty heavy talk for this occasion. This is supposed to be a happy occasion, indeed, it may even be deliverance for some of you. But without diminishing your joy, I hope this can be a sobering experience too.

More than a century ago, when the Union was threatened and dissension was worse than ever in our history, Emerson observed that this time "like all times is a very good one, if we but know what to do with it." I believe Emerson's observation to be eminently true today.

No one can deny the wrenching effect of political scandal, and no one can excuse it. But the worst political scandal in this country is not the "Watergate" but the inattention we pay to the political process. It is not only a matter of voter apathy, but of citizen apathy.

Politics with a small p is not supposed to be left to professionals. In the end, that only invites manipulation and cynical huckstering. Politics is supposed to be the process of collective decision-making, and as such we are all supposed to be part of that process. If we dismiss it as dirty, as unworthy of our concern and active participation, we insure cynical abuse of the process.

In ancient Greece the great statesman Pericles charged his countrymen with advice that is equally valid for modern Americans. He said:

"We do not say that a man who takes no interest in politics minds his own business. We say he has no business here at all."

To pundits and commentators yours has been labeled an activist generation. You challenged your elders, your government, almost every institution of this society with hard, sometimes uncomfortable questions.

The spirit of that kind of concern and conviction can revitalize the political process in this country. That is one thing we can do to make of this a good time.

The tawdriness of current revelations should be no excuse to shun an active role in the political process. In fact, I believe it should provide further incentive and determination to alter the circumstances which led to such excesses.

Four years ago the rallying cry of your predecessors was the New Politics. Our current difficulties offer the opportunity to reflect today that the evidence suggests if there is to be a new politics, it will not emerge from legislative reforms. Rather it will result from our own insight and determination. A new politics may largely be up to you.

Thank you.